

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHELLE FRACASSO and
JONATHAN SPITZER,

Plaintiffs,

- against -

THE CITY OF NEW YORK, et al.,

Defendants.

07-CV-4649 (AKH)

NOTICE OF DEPOSITION
OF ASSISTANT DISTRICT
ATTORNEY DAVID SMITH

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PLEASE TAKE NOTICE, pursuant to the Federal Rules of Civil Procedure, beginning at 9:30am on March 4, 2008 at the offices of BALESTRIERE PLLC, 225 Broadway, New York, New York 10011, or at such other time that can be agreed by all, counsel for Plaintiffs will take the testimony of Assistant District Attorney David Smith.

The deposition will be taken before an officer authorized to administer oaths and will be taken by stenographic means. The deposition will continue until completed with such adjournments as may be necessary.

Dated: New York, New York
January 14, 2008

By: /s/ Craig Stuart Lanza
Craig Stuart Lanza (CL-2452)
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